

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

DWIGHT HOWARD

VS.

CIVIL ACTION NO. 5:14cv14-KS-MTP

D. DAVIS, ET AL

ORDER ADOPTING REPORT AND RECOMMENDATION

This cause came on this date to be heard upon the Report and Recommendation of the United States Magistrate Judge entered herein on October 7, 2014, after referral of hearing by this Court, no objections having been filed¹ as to the Report and Recommendation, and the Court, having fully reviewed the same as well as the record in this matter, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation be, and the same hereby is, adopted as the finding of this Court, and the Complaint is hereby dismissed with prejudice. Pursuant to § 1915(e)(2)(B)(ii) this dismissal counts as a strike under § 1915(g). A separate judgment will be entered herein in accordance with this Order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this the 19th day of December, 2014.

s/Keth Starrett
UNITED STATES DISTRICT JUDGE

¹ The CMCF docket sheet shows that on November 3, 2014, an unsigned Objection [26] was filed to the Report and Recommendation. The undersigned Judge has reviewed the document designated as "Objection" and finds that it is not an Objection at all, but is an inquiry about the case. There has been no Objection filed to the Report and Recommendation by the Plaintiff.

